IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 9205 of 1995

Between:

Ganta Kamayamma W/o.late G.Subbarao
R/o.Sarabhavaram Rajavommangi(M)
E.G.Dist.

..... PETITIONER

AND

1 The Agent to the Government/Dist. Collector, E.G.Dist., Kakinada.
Kakinada
2 The Special Deputy Collector (Tribal Welfare)
Rampachodavaram, E.G.Dist.
3 Addavelthi Baburao S/o.Paparao
Vatangi(R/o.) Rajavommangi(M)
E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of mandamus declaring the action of the respondent no.1 in confirming the orders of the 2nd respondent in CMA No.70/91, dt.03/4/1995 and to quash the same as illegal and without power or authority and consequentially to declare that the petitioner is entitled to hold the land admeasuring Ac.0.57 cents in RS No.116/2 of Sarabavaram village of Rajavommangi Mandal, East Godavari Dist.

Counsel for the Petitioner: MR.M.R.K.CHOWDARY

Counsel for the Respondents 1 & 2: GP FOR REVENUE

Counsel for the Respondent No.3: None appeared

The Court made the following:

ORDER:

This writ petition is filed questioning the order dated 03.04.1995 passed by the first respondent in C.M.A.No.70 of 1991, confirming the order dated 21.02.1991 passed by the second respondent-Special Deputy Collector, Tribal Welfare, Rampachodavarm, in L.T.R.P.No.335 of 1988, ordering eviction of the petitioner from an extent of land admeasuring Ac.0-57 cents situated in R.S.No.116/2 of SarabavaramVillage of Rajavommangi Mandal of East Godavari District, in exercise of the powers conferred under the A.P. (Scheduled Areas) Land Transfer Regulations 1 of 1959 (for short 'the Regulations).

Against the orders of the appellate authority, which is passed under the above said Regulations, there is a remedy of revision to the Government under Clause-6 of the Regulations.

In that view of the matter, as there is availability of an efficacious alternative remedy of revision to the Government against the order

passed by the appellate authority, there is no reason to bye-pass the same. Hence, I dispose of the writ petition permitting the petitioner to file revision to the Government against the impugned orders within a period of six weeks from the date of receipt of a copy of this order. If such revision is filed, the Government shall consider the same on merits and pass appropriate orders. Pending disposal of the revision, the status-quo with regard to possession of the land in question shall be maintained as on today. If revision is not filed within the time stipulated, it is open for the respondents to take steps in accordance with the orders already passed by them.

_____ R.SUBHASH REDDY, J

20.01.2005

DR

To

1 The Agent to the Government/Dist. Collector, E.G.Dist., Kakinada.
KAKINADA
2 The Spl. Dy. Collector(T.W.)
Rampachodavaram, E.G.Dist.
3 2CCs to Government Pleader for Revenue, High Court

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